

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

HUGO SAHLEIN, ET AL.

PLAINTIFFS

VS.

CIVIL ACTION NO.: 3:13-cv-67-DMB-JMV

RED OAK CAPITAL, INC., ET AL.

DEFENDANTS

ORDER

This matter is before the court on the Caliber Defendants' Motion to Stay the Dispositive Motions Deadline [75]. Specifically, the motion asks the court to stay the dispositive motions deadline until ten days after a ruling on the Defendants' pending Motion to Dismiss [67].

Motions in the above styled matter are currently due on December 16, 2014, and it is currently set for trial on April 27, 2015 [51]. The Defendants are reminded, as they were informed at the case management conference, it is necessary for the court to have adequate time prior to trial to consider dispositive motions. Accordingly, the Undersigned Magistrate Judge may not extend a dispositive or *Daubert* motions deadline within four months of the assigned trial date.¹ Further, the undersigned can neither know what ruling the District Judge will make on the Motion to Dismiss nor anticipate when such ruling will be issued. Consequently, the parties must request and obtain a continuance of the assigned trial date before any further extension of the motions' deadline can be considered.

IT IS, THEREFORE, ORDERED that the Caliber Defendants' Motion to Stay the Dispositive Motions Deadline is hereby **DENIED**.

¹ Furthermore, going forward, District Judge Debra Brown will not allow dispositive motions to be filed within five months of the assigned trial date absent an order issued by her continuing the trial date or otherwise allowing the delayed filing of such dispositive motion.

SO ORDERED this 16th day of December, 2014.

/s/Jane M. Virden

UNITED STATES MAGISTRATE JUDGE